

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05 00189DAE
)	
Plaintiff,)	DECLARATION OF
)	NOAH D. FIDDLER
vs.)	
)	
JEFFREY KAMA,)	
)	
Defendant.)	
)	

DECLARATION OF NOAH D. FIDDLER

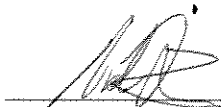
I, NOAH D. FIDDLER, declare and say:

1. I am the attorney for Defendant;
2. I am personally familiar with the facts stated herein.
3. On December 04, 2004, at 01:35:00 HOURS, HCPD arrested Jeff Kama on Kanoelehua Avenue, Hilo, Hawaii, for the offense of DRIVING WITHOUT LICENSE and EXPIRED LICENSE. Defendant was allegedly stopped for speeding. Subsequent to the arrest of Defendant for Driving without a license the officers found approximately 28 grams methamphetamine in Defendants front pants pocket. Subsequent to the service of a search warrant on a black fanny pack which was in the possession of Kama, HCPD officers recovered a Q.F.I. brand, model S.A.25,.25 auto semi automatic pistol with a magazine containing seven rounds inserted into said pistol.
4. Subsequent to the service of a search warrant on Kama's vehicle and on a black fanny pack which was in the possession of Kama, HCPD officers

recovered 2 grams of ice, a cut straw with crystalline residue, and an operable digital scale with crystalline residue, *along with the gun.*

5. Subsequently, Kama was charged with the drug and firearm offenses.
6. The drugs seized from the Defendant were found without probable cause and the arrest for driving without a license was not a basis to search the Defendants person. There was no probable cause for the issuance of the search warrant or the search of the vehicle or fanny pack.

FURTHER, COUNSEL SAYETH NAUGHT. Dated: *10/27/06*



NOAH D. FIDDLER
Attorney for Defendant